# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

## BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

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| APPLICANTS: | Esa Harma | CONF. NO.: | 7550 |
| SERIAL NO.: | 09/881,452 | ART UNIT: | 2686 |
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TITLE:

METHOD AND ARRANGEMENT FOR DISTRIBUTING, EXECUTING AND CONSUMING RECREATIONAL APPLICATIONS IN AND BETWEEN MOBILE TELECOMMUNICATION DEVICES

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## APPELLANTS BRIEF

(37 C.F.R. §1.192)

This is an Appeal from the final rejection of the claims in the subject application and is a reinstatement of an earlier filed Appeal in this application. A Notice of Appeal was filed on January 5, 2007, with a Request For Pre-Appeal Brief Review. A Panel Decision having been mailed on March 28, 2007, this Appeal Brief is now submitted.

## [1] REAL PARTY IN INTEREST

The real party in interest in this Appeal is the assignee, Nokia Corporation, Espoo, Finland.

## [2] RELATED APPEAL AND INTERFERENCES

There are no related appeals or interferences.

## [3] STATUS OF THE CLAIMS

Claims 1-44 stand rejected under 35USC102(e) based on the disclosure of Hawkins, U.S. Patent No. 6,009,458.  Claims 1-44 stand rejected under 35USC102(e) based on the disclosure of Perlman, U.S. Patent No. 6,134,590.  Claims 1-44 stand rejected under 35USC102(e) based on the disclosure of Shaw, U.S. Publication No. 20020083148. These rejections are contained in the office action mailed October 5, 2006.  Claims 1-44 are presented for consideration in this Appeal and are contained in the attached Claim Appendix.

## [4] STATUS OF AMENDMENTS FILED SUBSEQUENT TO FINAL REJECTION

There were no amendments filed after Final Rejection.

## [5] SUMMARY OF THE CLAIMED SUBJECT MATTER

According to the claims, as amended, the system of this application involves the features as shown in figure 1. The applicant's invention concerns a device, system, method, and software product in which a user of a terminal of a wireless network may call another user to a common session of executing recreational software. To accomplish this, referring to figure 1, a first user transmits a proposal for setting up a game session, (101). After a proposal is received (105) and accepted (106), the participants must establish a game ready state (107-109) by using the communication capabilities of at least one of the terminals. In the game ready state both terminals possess the executable software components of the selected recreational application needed for setting up a common, shared session and for executing the recreational application (110).

Two basic approaches are given in the applicant's description. According to a first embodiment, the process of calling another player to the game involves delivering (108) an executable software component of the game to the terminal of the invited player. This embodiment is described in applicant's independent claims 1, 36, 39, 41, and 43. According to a second embodiment, the executable software components of the game exist in both terminals already, but the process of inviting another player to the game involves delivering an enablement token to the terminal of the invited player, so that only after having received the enablement token the terminal is able to use the executable software of the game. This embodiment is described in applicant's independent claims 37, 38, 40, 42, and 44. It should be noted that the executable software is in each and every case the actual, dedicated recreational software; i.e. the program code of the game itself.

## [6] ISSUES PRESENTED FOR REVIEW

A. The issue presented for review is the propriety of the Examiner's rejection of claims 1-44 under 35 USC 102(e based on the disclosure of Hawkins, U.S. Patent No. 6,009,458.

B. The issue presented for review is the propriety of the Examiner's rejection of claims 1-44 under 35 USC 102(e based on the disclosure of Perlman, U.S. Patent No. 6,134,590.

C. The issue presented for review is the propriety of the Examiner's rejection of claims 1-44 under 35 USC 102(e based on the disclosure of Shaw, U.S. Publication No. 20020083148.

D.  The issue presented for review is the propriety of the Examiner's refusal to recognize and give weight to the limitations in the claims supporting Applicant's argument, that the cited art fails to disclose a system and method in which a mobile telephone user may call another telephone for the purpose of setting up a game session between the mobile telephone terminals.

The rejections are contained in the Office Action mailed October 5, 2006.

**[7] Argument**

A. The Examiner has failed to establish that the reference Hawkins. U.S. Patent No. 6,009,458 expressly or inherently describes all of the elements of claims 1-44 of this application. In particular the elements of independent claims 1, and 36-44 of this application. It is well settled that a claim is anticipated, "only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." (See CHISOLM, Federal Circuit Guide, Pg. 1221).

Claim 1 as amended states:

**"transmitting from a first terminal of said group of terminals to a second terminal of said group of terminals, a proposal for setting up a session of utilising a recreational application and**

**only after the second terminal has received said proposal, using the communicational capabilities of at least one of the first and second terminals to establish a state where both the first terminal and the second terminal possess executable software components of said recreational application for setting up a common, shared session and for executing said recreational application on said first and second terminals."**


Equivalent language is contained in Independent claims 36-44. The cited reference Hawkins fails to disclose these elements.


The central idea of Hawkins is to digitally create generic playing objects with some basic characteristics, and use mapping programs to derive the actual playing objects needed for a certain game.


The disclosure of Hawkins fails to disclose the claimed feature according to which the enabled state of playing will only be established after the both terminals know they are

going to play each other. According to Hawkins, the "chat room" is only for players that already have all required capabilities for playing the game. Nothing in Hawkins would suggest that only after the user has found a suitable and willing adversary, there would result an exchange of executable software or enablement tokens. The games of Hawkins originate in a chat room type internet cite in which users, desiring to play a game, congregate. (see column 18, lines 59-62 of Hawkins)

**"Launching a new game is accomplished by sending a message to a game facility indicating that it should launch a new game instantiation with a list of the identities of all the players."**

There is nothing in Hawkins that indicates a mobile telephone user may call another mobile telephone for the purpose of setting up a game session. Wireless communications are not mentioned in Hawkins. This is discussed in column 18, lines 63-67 of Hawkins as follows:

**"While a group of users are playing a game, the public game flow control traffic from the game facility to the clients may be directed through the user interface facility 402 via a communications channel which is similar to an Internet Relay Chat (IRC) channel."**

Clearly the system of Hawkins requires a third party game facility that operates as a chat room into which public traffic may come and go as observers or participants. The above disclosure is included in the excerpt cited by the Examiner, but the deficiencies that it contains are ignored.

The Examiner also cites col. 20, lines 18-28 to show how client software would be downloaded to a user's terminal. The Examiner neglects the fact that this passage describes, what happens immediately when a new user registers in the game facility before entering the chat room and before there is any chance for selecting an opponents. This is not the mobile telephone to mobile telephone transaction that is described in the claims of this application.

9

Clearly the gaming application of the reference Hawkins is run on some site located on an internet server and requires a game server, see column 19, lines 9-14.

> **"A running game facility 408 manages all instantiations of a given game. It knows which users are players in the instantiation, and executes game commands from them. It notifies all interested parties (including both players and observers) of game events bymulticasting through the user interface facility 402."**

All of the above deficiencies stem from the fact that the games of Hawkins' are not executed on terminals of a wireless radio system, but ordinary networked computers. Nothing in the reference Hawkins suggests that anything other than general purpose computers would be used for playing.

The cited reference Hawkins fails to support the rejection based on anticipation because it does not involve communications transmitted by a wireless terminal in a wireless network, the games in Hawkin are not initiated by direct communication between first and second wireless terminals. Also, there is no suggestion that the games are played using software executed by a wireless terminal.

B. The Examiner has failed to establish that the reference Perlman. U.S. Patent No. 6,134,590 expressly or inherently describes all of the elements of claims 1-44 of this application. In particular the reference Perlman fails to disclose the elements of independent claims 1, and 36-44 of this application as stated above.

The system described in Perlman is simply described, in column 4, lines 43-47, as follows:

> **"The present invention includes an apparatus and method for establishing a multiple site data communication link with a plurality of other computers on conferenced telephone line. The system of the present invention for linking a plurality of computers in a multiple site configuration..."**

The system of Perlman is similar to the system of Hawkins, except that it utilizes a conference call telephone line instead of an Internet chat room site to link multiple personal computers. There is no mention of using wireless terminals via a wireless communication network to establish a game situation between the two terminals for executing the game on the terminals.

C. The Examiner has failed to establish that the reference Shaw. U.S. Publication No. 20020083148 expressly or inherently describes all of the elements of claims 1-44 of this application. In particular the reference Shaw fails to disclose the elements of independent claims 1, and 36-44 of this application stated above.

The cited reference Shaw fails to support the rejection based on anticipation because it does not involve communications transmitted by a wireless terminal in a wireless network, the games in Shaw are not initiated by direct communication between first and second wireless terminals. Also, there is no suggestion that the games are played using software executed by a wireless terminal.

The reference Shaw describes a system for caching of personalized content on a centralized server. As shown in figure 1, a centralized office 24 may be accessed by users, through wireless communication or other means through aggregation 26. There is no disclosure of direct communication between wireless terminal users to initiate a gaming session and there is no disclosure of downloading game application software to the wireless terminals that are in direct gaming communication. The initiation of a media or gaming session in the system of Shaw is described as follows in paragraph 0030 with reference to figure 7, as follows:

> **"The users each first downloads the online session software application
> from either edge cache engine 146 or game servers 140 and 134, as shown
> in block 192."**

The cited reference Shaw, therefore, does not support the rejection of claims 1-44 base on anticipation.

D. The Examiner has indicated that no patentable weight has been given to the claim elements relating to a mobile telephone because such elements are in the preamble. Applicant submits that, the claims of this application clearly incorporate and rely on the elements of the preamble, namely mobile terminals in a wireless network system. The transmission of a proposal is made on a first terminal of the group of terminals and the game application is distributed based on communication between the first and second terminals of the network. The wireless terminal network is interwoven throughout the claims. This is, therefore, a viable limitation and should be given patentable weight.

It is well settled that, any terminology in the preamble that limits the structure of the claimed invention must be treated as a claim limitation. See, e.g., *Corning Glass Works v. Sumitomo Elec. U.S.A., Inc.*, 868 F.2d 1251, 1257, 9 USPQ2d 1962, 1966 (Fed. Cir. 1989). The determination of whether preamble recitations are structural limitations can be resolved only on review of the entirety of the application "to gain an understanding of what the inventors actually invented and intended to encompass by the claim."); *Pac-Tec Inc. v. Amerace Corp.*, 903 F.2d 796, 801, 14 USPQ2d 1871, 1876 (Fed. Cir. 1990)

The district court has also held that:

> **"A clear reliance on the preamble during prosecution to distinguish the claimed invention from the prior art transforms the preamble into a claim limitation because such reliance indicates use of the preamble to define, in part, the claimed invention. (See *Catalina Mktg. Int'l v. Coolsavings.com, Inc.*, 289 F.3d at 808-09, 62 USPQ2d at 1785)**

and also that:

> **"If the claim preamble, when read in the context of the entire claim, recites limitations of the claim, or, if the claim preamble is 'necessary to give life, meaning, and vitality' to the claim, then the claim preamble should be construed as if in the balance of the claim." *Pitney Bowes, Inc. v. Hewlett-Packard Co.*, 182 F.3d 1298, 1305, 51 USPQ2d 1161, 1165-66 (Fed. Cir. 1999).**
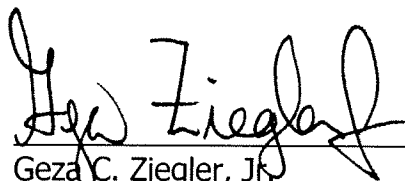
For all of these reasons, it is respectfully submitted that the Examiner has erred in ignoring the clear limitations of the claims that describe wire less terminals in a wireless network and erred in ignoring the clearly stated process limitation relating to the initiation of a gaming session through direct contact between wireless terminals and ignoring the clearly stated limitation relating to execution of the application on the terminals.

## [8] SUMMARY

The above stated grounds apply equally to the rejected dependent claims, all of which, by dependency, have the limitations described in the independent claims. It is, therefore, respectfully submitted that all of the claims, as presented, are clearly novel and patentable over the prior art of record. Accordingly, the Board of Appeals is respectfully requested to favorably consider the rejected claims and to reverse the final rejections, thereby enabling this application to issue as a U.S. Letters Patent.

Since this Appeal involves the reinstatement of a prior appeal in an application, in which Examination was reopened by the Examiner, all fees paid in the prior appeal should be applied to this Reinstated Appeal. The Commissioner is hereby authorized to charge payment for any increase in fees as well as for any other fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.
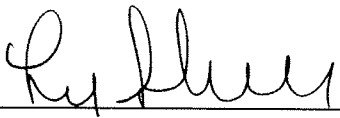
Respectfully submitted,

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Date: 11 May 2007        Signature: _____

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Lisa Shimizu
Person Making Deposit

## CLAIM APPENDIX

1. (previously presented) A method for distributing a recreational application within a group of mobile terminals arrangements, where the group comprises at least two terminal arrangements and each terminal arrangement comprises a terminal of a wireless network system, the method comprising the steps of:

> transmitting from a first terminal arrangement of said group of terminals to a second terminal arrangement of said group of terminals, a proposal for setting up a session of utilising a recreational application and

> only after the second terminal arrangement has received said proposal, using the communicational capabilities of at least one of the first and second terminals arrangements to establish a state where both the first terminal arrangement and the second terminal arrangement possess executable software components of said recreational application for setting up a common, shared session and for executing said recreational application on said first and second terminals.

2. (previously presented) A method according to claim 1, comprising the steps of:

> a) transmitting from the first terminal arrangement to the second terminal arrangement a proposal identifying a number of proposed recreational applications,

> b) transmitting from the second terminal arrangement to the first terminal arrangement a request for obtaining a software component necessary for setting up a common, shared session of utilising one of said proposed recreational applications and

c) as a response to receiving said request in said first terminal arrangement, transmitting said software component from the first terminal arrangement to the second terminal arrangement.

3.  (previously presented) A method according to claim 2, comprising, between steps a) and b), the step of presenting said number of proposed recreational applications to the user of the second terminal arrangement, so that step b) is only executed as a response to receiving from said user an indication of acceptance concerning one of said number of proposed recreational applications.

4.  (previously presented) A method according to claim 2, wherein step c) comprises the substep of transmitting said software component from the first terminal arrangement to the second terminal arrangement through a local communication link.

5.  (previously presented) A method according to claim 2, wherein step c) comprises the substep of transmitting said software component from the first terminal arrangement to the second terminal arrangement through the wireless network system.

6.  (previously presented) A method according to claim 2, comprising after step c) the steps of:

d) transmitting from the second terminal arrangement to the first terminal arrangement an acknowledgement indicating the reception of said software component and

e) after step d), indicating to the users of the first and second terminals arrangements the readiness of utilising the recreational application.

17

7.      (previously presented) A method according to claim 1, comprising the steps of:

a)  transmitting from the first terminal arrangement to the second terminal arrangement a proposal identifying a number of proposed recreational applications,

b)  transmitting from the second terminal arrangement to a recreational application server a request for obtaining a software component necessary for setting up a common, shared session of utilising one of said proposed recreational applications and

c)  as a response to receiving said request in said recreational application server, transmitting said software component from said recreational application server to the second terminal arrangement.

8.      (previously presented) A method according to claim 7, comprising between steps a) and b) the step of presenting said number of proposed recreational applications to the user of the second terminal arrangement, so that step b) is only executed as a response to receiving from said user an indication of acceptance concerning one of said number of proposed recreational applications.

9.      (previously presented) A method according to claim 7, comprising after step c) the steps of:

d)  transmitting from the second terminal arrangement to the first terminal arrangement an acknowledgement indicating the reception of said software component and

e) after step d), indicating to the users of the first and second terminals arrangements the readiness of utilising the recreational application.


10. (previously presented) A method according to claim 1, comprising the steps of:

a) transmitting from the first terminal arrangement to the second terminal arrangement a proposal identifying a number of proposed recreational applications,

b) transmitting from the second terminal arrangement to the first terminal arrangement a request for obtaining a software component necessary for setting up a common, shared session of utilising one of said proposed recreational applications,

c) as a response to receiving said request in said first terminal arrangement, transmitting a network address of a recreational application server from the first terminal arrangement to the second terminal arrangement,

d) transmitting from the second terminal arrangement to said recreational application server a request for obtaining a software component necessary for setting up a common, shared session of utilising one of said proposed recreational applications and

e) as a response to receiving said request in said recreational application server, transmitting said software component from said recreational application server to the second terminal arrangement.

11.   (previously presented) A method according to claim 10, comprising between steps a) and b) the step of presenting said number of proposed recreational applications to the user of the second terminal arrangement, so that step b) is only executed as a response to receiving from said user an indication of acceptance concerning one of said number of proposed recreational applications.

12.   (previously presented) A method according to claim 10, comprising after step e) the steps of:

f) transmitting from the second terminal arrangement to the first terminal, arrangement an acknowledgement indicating the reception of said software component and

g) after step f), indicating to the users of the first and second terminals arrangements the readiness of utilising the recreational application.

13.   (previously presented) A method according to claim 1, comprising the steps of:

a) transmitting from the first terminal arrangement to the second terminal arrangement a proposal identifying a number of proposed recreational applications,

b) transmitting from the second terminal arrangement to the first terminal arrangement a request for obtaining a software component necessary for setting up a common, shared session of utilising one of said proposed recreational applications,

c) as a response to receiving said request in said first terminal arrangement, transmitting from the first terminal arrangement to a recreational application server a request for downloading into the second terminal arrangement a software component necessary for setting up a common, shared session of utilising one of said proposed recreational applications and

d) as a response to receiving said request in said recreational application server, transmitting said software component from said recreational application server to the second terminal arrangement.

14. (previously presented) A method according to claim 13, comprising between steps a) and b) the step of presenting said number of proposed recreational applications to the user of the second terminal arrangement, so that step b) is only executed as a response to receiving from said user an indication of acceptance concerning one of said number of proposed recreational applications.

15. (previously presented) A method according to claim 13, comprising after step d) the steps of:

e) transmitting from the second terminal arrangement to the first terminal arrangement an acknowledgement indicating the reception of said software component and

f) after step e), indicating to the users of the first and second terminals arrangements the readiness of utilising the recreational application.

16. (previously presented) A method according to claim 1, comprising the steps of:

a) transmitting from the first terminal arrangement to the second terminal arrangement a proposal identifying a number of proposed recreational applications,

b) transmitting from the second terminal arrangement to the first terminal arrangement a request for obtaining a software component necessary for setting up a common, shared session of utilising one of said proposed recreational applications,

c) as a response to receiving said request in said first terminal arrangement, transmitting from the first terminal arrangement to a recreational application server a request for downloading into the first terminal arrangement a software component necessary for setting up a common, shared session of utilising said one of said proposed recreational applications,

d) as a response to receiving said request in said recreational application server, transmitting said software component from said recreational application server to the first terminal arrangement and

e) as a response to receiving said software component, transmitting from the first terminal arrangement to the second terminal arrangement a software component necessary for setting up a common, shared session of utilising said one of said proposed recreational applications.

17.     (previously presented) A method according to claim 16, comprising between steps a) and b) the step of presenting said number of proposed recreational applications to the user of the second terminal arrangement, so that step b) is only executed as a response to receiving from said user an indication of acceptance concerning one of said number of proposed recreational applications.

18.    (previously presented) A method according to claim 16, comprising after step e), the steps of:

f) transmitting from the second terminal arrangement to the first terminal arrangement an acknowledgement indicating the reception of said software component and

g) after step f), indicating to the users of the first and second terminals arrangements the readiness of utilising the recreational application.

19.    (previously presented) A method according to claim 1, comprising the steps of:

a) transmitting from the first terminal arrangement to the second terminal arrangement a proposal identifying a number of proposed recreational applications,

b) transmitting from the second terminal arrangement to the first terminal arrangement a first acknowledgement indicating agreement to set up a common, shared session of utilising one of said proposed recreational applications,

c) transmitting from the first terminal arrangement to a recreational application server a first request for obtaining a software component necessary for setting up a common, shared session of utilising said one of said proposed recreational applications,

d) transmitting from the second terminal arrangement to a recreational application server a second request for obtaining a software component necessary for setting up a common, shared session of utilising said one of said proposed recreational applications,

e) as a response to receiving said first request in said recreational application server, transmitting the requested software component from said recreational application server to the first terminal arrangement,

f) as a response to receiving said second request in said recreational application server, transmitting the requested software component from said recreational application server to the second terminal arrangement and

g) exchanging a pair of messages between the first and second terminal arrangements indicating the readiness of utilising the recreational application.

20.    (previously presented) A method according to claim 19, comprising between steps a) and b) the step of presenting said number of proposed recreational applications to the user of the second terminal arrangement, so that step b) is only executed as a response to receiving from said user an indication of acceptance concerning one of said number of proposed recreational applications.

21.    (previously presented) A method according to claim 19, comprising after step g) the step of indicating to the users of the first and second terminals arrangements the readiness of utilising the recreational application.

22.    (previously presented) A method according to claim 1, comprising the steps of:

a) transmitting from the first terminal arrangement to the second terminal arrangement a proposal for setting up a common, shared session of utilising a recreational application,

b) transmitting from the second terminal arrangement to the first terminal arrangement a proposal identifying a number of proposed recreational applications,

c) transmitting from the first terminal arrangement to the second terminal arrangement a request for obtaining a software component necessary for setting up a common, shared session of utilising one of said proposed recreational applications and

d) as a response to receiving said request in said second terminal arrangement, transmitting said software component from the second terminal arrangement to the first terminal arrangement.

23. (previously presented) A method according to claim 22, comprising between steps b) and c) the step of presenting said number of proposed recreational applications to the user of the first terminal arrangement, so that step b) is only executed as a response to receiving from said user an indication of acceptance concerning one of said number of proposed recreational applications.

24. (previously presented) A method according to claim 22, comprising after step d) the step of indicating to the users of the first and second terminals arrangements the readiness of utilising the recreational application.

25. (previously presented) A method according to claim 1, **characterised** in that the step of using the communicational capabilities of at least one of the first and second terminal arrangements to establish a state where both the first terminal arrangement and the second terminal arrangement possess enough software components for setting

up a common, shared session of utilising said recreational application comprises the substep of

transmitting from the first terminal arrangement (1101) to the second terminal arrangement (1102) a complete copy (1105, 1106) of those software components (1103, 1104) which the first terminal uses for setting up a common, shared session of utilising said recreational application.

26.    (previously presented) A method according to claim 1, wherein the step of using the communicational capabilities of at least one of the first and second terminals arrangements to establish a state where both the first terminal arrangement and the second terminal arrangement possess enough software components for setting up a common, shared session of utilising said recreational application comprises the substep of

transmitting from the first terminal arrangement to the second terminal arrangement a limited copy of those software components which the first terminal uses for setting up a common, shared session of utilising said recreational application, said limited copy being only usable for setting up a common, shared session of utilising said recreational application together with the particular first terminal arrangement in question.

27.    (previously presented) A method according to claim 1, wherein the step of using the communicational capabilities of at least one of the first and second terminals arrangements to establish a state where both the first terminal arrangement and the second terminal arrangement possess enough software components for setting up a common, shared session of utilising said recreational application comprises the substep of:

transmitting from the first terminal arrangement to the second terminal arrangement a more advanced copy of those software components which the first terminal uses for setting up a common, shared session of utilising said recreational application.

28.     (previously presented) A method according to claim 1, wherein the step of using the communicational capabilities of at least one of the first and second terminal arrangements to establish a state where both the first terminal arrangement and the second terminal arrangement possess enough software components for setting up a common, shared session of utilising said recreational application comprises the substeps of:

transmitting from the first terminal arrangement to the second terminal arrangement an authenticated offer for setting up a common, shared session of utilising said recreational application,

forwarding said authenticated offer from the second terminal arrangement to a recreational application server, and

transmitting from said recreational application server to the second terminal arrangement a limited copy of software components needed for setting up a common, shared session of utilising said recreational application, said limited copy being only usable for setting up a common, shared session of utilising said recreational application together with the particular first terminal arrangement in question.

29.     (previously presented) A method according to claim 28, comprising the step of imposing a charge to the user of the first terminal arrangement for setting up a

common, shared session of utilising said recreational application together with the particular second terminal arrangement in question.

30.    (previously presented) A method according to claim 1, wherein the step of using the communicational capabilities of at least one of the first and second terminals arrangements to establish a state where both the first terminal arrangement and the second terminal arrangement possess enough software components for setting up a common, shared session of utilising said recreational application comprises the substeps of:

transmitting from the second terminal arrangement to the first terminal arrangement an authenticated offer for setting up a common, shared session of utilising said recreational application,

forwarding said authenticated offer from the first terminal arrangement to a recreational application server, and

transmitting from said recreational application server to the second terminal arrangement a copy of software components needed for setting up a common, shared session of utilising said recreational application.

31.    (previously presented) A method according to claim 30, comprising the step of imposing a charge to the user of the second terminal arrangement for setting up a common, shared session of utilising said recreational application together with the particular first terminal arrangement in question.

32.    (previously presented) A method according to claim 1, wherein the step of using the communicational capabilities of at least one of the first and second terminals arrangements to establish a state where both the first terminal arrangement and the second terminal arrangement possess enough software components for setting up a common, shared session of utilising said recreational application comprises the substeps of:

transmitting from the second terminal arrangement to the first terminal arrangement an authenticated offer for setting up a common, shared session of utilising said recreational application,

forwarding said authenticated offer from the first terminal arrangement to a recreational application server together with another authenticated offer from the first terminal arrangement for setting up a common, shared session of utilising said recreational application, and

transmitting from said recreational application server to the terminals arrangements copies of software components needed for setting up a common, shared session of utilising said recreational application.

33.    (previously presented) A method according to claim 32, comprising the step of imposing charges both to the user of the second terminal arrangement for setting up a common, shared session of utilising said recreational application together with the particular first terminal arrangement in question and to the user of the first terminal arrangement for setting up a common, shared session of utilising said recreational application together with the particular second terminal arrangement in question.

34.    (previously presented) A method according to claim 1, wherein the step of using the communicational capabilities of at least one of the first and second terminal arrangements to establish a state where both the first terminal arrangement and the second terminal arrangement possess enough software components for setting up a common, shared session of utilising said recreational application comprises the substeps of:

  exchanging information between the first and second terminals arrangements through a short-distance communications connection during said common, shared session of utilising said recreational application, and

  after the exchanging of information between the first and second terminals arrangements through said short-distance communications connection becomes impossible, deeming the common, shared session of utilising said recreational application to be ended.

35.    (previously presented) A method according to claim 34, additionally comprising the substep of refraining from other exchange of information between the first and second terminals arrangements through said short-distance communications connection during said common, shared session than such information that is needed to ensure that the short-distance communications connection is still active.

36.    (previously presented) A terminal arrangement comprising a A terminal of a wireless network system, comprising

  means for exchanging proposals for setting up sessions of utilising a recreational application with other terminals in in the wireless network system arrangements and

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means for responding to a situation where such proposals have been exchanged by using its a communicational capabilities capability of said terminal to establish a state where both the terminal arrangement and another terminal arrangement possess enough executable software components of said recreational application for setting up a common, shared session of utilising said recreational application.

37. (previously presented) A method for distributing a recreational application within a group of terminal arrangements, where the group comprisesof at least two terminals arrangements and each terminal arrangement comprises a terminal of a wireless network system, the method comprising:

- transmitting from a first terminal arrangement to a second terminal arrangement a proposal for setting up a session of utilising a recreational application and

- only after the second terminal arrangement has received said proposal, using the communicational capabilities of at least one of the first and second terminals arrangements to establish a state where both the first terminal arrangement and the second terminal arrangement possess enough software components to, upon the receipt of an enabling token, to execute software of said recreational application, said software being available for execution at the first terminal arrangement and the second terminal arrangement, for setting up a common, shared session utilising said recreational application.

38. (previously presented) A terminal arrangement comprising a terminal of a wireless network_system, comprising:

- means for exchanging proposals for setting up sessions of utilising a recreational application with other terminals in the wireless network system arrangements and

- means for responding to a situation where such proposals have been exchanged by using its communicational capabilities to establish a state where both it the terminal and another terminal arrangement possess enough resident software components of said recreational application for execution at the terminal arrangement and another the other terminal arrangement, upon the receipt of an enablement token, for setting up a common, shared session and executing said recreational application.

39.( previously presented) A terminal system of wireless terminals comprising a first terminal arrangement and a second terminal arrangement, comprising

- in each of said first and second terminals, arrangements means for exchanging proposals for setting up sessions of utilising a recreational application with other terminals arrangements and
- in each of said first and second terminals, arrangements means for responding to a situation where such proposals have been exchanged by using communicational capabilities of the first and second terminals arrangements to establish a state where both of said first and second terminals arrangements possess enough resident executable software components of said recreational application for setting up a common, shared session for executing said recreational application on said first and second terminals arrangements.

40. (previously presented) A terminal systemsystem of wireless terminals comprising a first terminal arrangement and a second terminal arrangement, comprising

- in each of said first and second terminal, arrangements  means for exchanging proposals for setting up sessions of utilising a recreational application with other terminals arrangements and

- in each of said first and second terminal arrangements means for responding to a situation where such proposals have been exchanged by using communicational capabilities of the first and second terminals arrangements to establish a state where both of said first and second terminals arrangements possess enough software components to enable resident executable software of said recreational application for setting up a common, shared session for executing said recreational application on said first and second terminals arrangements.

41. (previously presented) A wireless communications system for distributing a recreational application within a group of terminals arrangements, comprising:

- a first terminal arrangement, a second terminal arrangement and a recreational application server,

- in each of said first and second terminals, arrangements means for exchanging proposals for setting up sessions of utilising a recreational application with other terminals arrangements and

- in each of said first and second terminals arrangements and said recreational application server means for responding to a situation where such proposals have been exchanged by using communicational capabilities of the first and second terminals arrangements and said recreational application server to establish a state where both of said first and second terminals arrangements possess resident executable software components of said recreational application for setting up a common, shared session for executing said recreational application on said first and second terminals arrangements.

42. (previously presented) A wireless communications system for distributing a recreational application within a group of terminals arrangements, comprising:

- a first terminal arrangement, a second terminal arrangement and a recreational application server,

- in each of said first and second terminals, arrangements means for exchanging proposals for setting up sessions of utilising a recreational application with other terminals arrangements and

- in each of said first and second terminals arrangements and said recreational application server means for responding to a situation where such proposals have been exchanged by using communicational capabilities of the first and second terminals arrangements and said recreational application server to establish a state where both of said first and second terminals arrangements possess resident software components of said recreational application for setting up a common, shared session for executing said recreational application on said first and second terminals arrangements.

43. (previously presented) A computer program product for causing a computer of a terminal of a wireless network system to:

- transmit from a first terminal arrangement to a second terminal arrangement a proposal for setting up a session of utilising a recreational application and

- only after the second terminal arrangement has received said proposal, using communicational capabilities of the first terminal arrangement to establish a state where both the first terminal arrangement and the second terminal arrangement possess resident executable software components of said recreational application for setting up a common, shared session for executing said recreational application on said first and second terminals arrangements.

44. (previously presented) A computer program product which, upon execution in a computer of a terminal of a wireless network system, produces

- transmitting from a first terminal arrangement to a second terminal arrangement a proposal for setting up a session of utilising a recreational application and

only after the second terminal arrangement has received said proposal, using communicational capabilities of the first terminal arrangement to establish a state where both the first terminal arrangement and the second terminal arrangement possess resident software components of said recreational application for setting up a common, shared session for executing said recreational application on said first and second terminals arrangements.

# EVIDENCE APPENDIX

(Not Applicable)

# RELATED PROCEEDINGS APPENDIX

(NONE)